

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

DOCKET NO. 5:05CR214-V

UNITED STATES OF AMERICA,)
)
)
v.)
)
(1) DONNA FAYE ATKINS REEVES)

**PRELIMINARY ORDER
OF FORFEITURE**

In the Consent Order and Judgment filed herein on January 17, 2006, this Court ordered forfeiture of \$150,000 as a money judgment against defendant, representing criminal proceeds, and authorized collection of that judgment from any property of the defendant in accordance with 21 U.S.C. §853(p). The government has recovered \$68,000 to date from certain specified property of defendant and has moved under Fed. R. Crim. P. 32.2(e)(1)(B) for a preliminary order of forfeiture as to other assets as substitute property for a corresponding portion of the remaining \$82,000.

It is therefore ORDERED:

1. Based upon defendant's conviction and the Consent Order and Judgment, the following property belonging to defendant and seized during the investigation of this case is hereby forfeited to the United States for disposition according to law, subject to the provisions of 21 U.S.C. §853(n):
 - (a) \$1,550.00 in United States currency;
 - (b) Two Rolex watches; and,
 - © Assorted jewelry worth approximately \$3,000 to \$5,000.
 - (d) One 1997 Ford Expedition, VIN 1FMFU18LXVLC26180, subject to payment of a lien in favor of Grayson National Bank.
2. Pursuant to 21 U.S.C. §853(n)(1), the government shall publish as required by law notice of this order; notice of its intent to dispose of the property in such manner as the Attorney General

may direct; and notice that any person, other than the defendant, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeited properties and any additional facts supporting the petitioner's claim and the relief sought. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in property that is the subject of this order of forfeiture, as a substitute for published notice as to those persons so notified.

3. Upon adjudication of all third-party interests, this Court will enter a final order and judgment of forfeiture pursuant to 21 U.S.C. §853(n).

SO ORDERED.

Signed: April 29, 2008

Carl Horn, III

Carl Horn, III
United States Magistrate Judge

